

SENATE JOINT RESOLUTION 243

By Graves

A RESOLUTION to create a special joint committee to study the various issues addressed in the Patient Advocacy Act of 1997.

WHEREAS, the "Patient Advocacy Act of 1997" (SB 1767/HB 1789) has engendered a great deal of debate in the General Assembly, as well as the State as a whole, and was introduced before this General Assembly because of a growing concern that insurance companies are dictating health care policy in the State of Tennessee: and

WHEREAS, the act requires substantial changes to the health care insurance programs operating in Tennessee, including disclosure to patients and providers on restrictions on the access to care, the delivery and disclosure of benefits and exclusions, prior authorization procedures, financial arrangements with providers which may lead to limitations on services offered, and drug formulary limitations and processes for obtaining drugs not on formularies; and

WHEREAS, conflicting opinions have been expressed about whether the "any willing provider" provision of this legislation will substantially increase health care costs in the TennCare program, with estimates ranging from no increases in costs to a reduction in savings, to a substantial increase in costs; and

WHEREAS, the issue of patient choice and access to health care providers varies greatly depending on whether one lives in a rural or urban center; and

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WHEREAS, Tennesseans highly value comprehensive health care benefits coverage and the financial protection afforded through such insurance coverage; and

WHEREAS, the General Assembly wants to encourage the development of accountability standards for preventative care, outcome-based measurements of quality care, and consumer satisfaction standards; and

WHEREAS, the General Assembly seeks affordable methods of increasing provider participation in managed care and increasing patient choice of health care providers; and

WHEREAS, to date, there has been no definitive analysis, either short-term or long-term, of these timely issues; and

WHEREAS, the Senate Commerce, Labor, and Agriculture Committee has determined that these timely issues should be carefully studied by this General Assembly prior to final action being taken on the Patient Advocacy Act of 1997; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE-HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, That there is hereby created a special joint committee to study the health care, commercial and financial aspects and other issues addressed in the "Patient Advocacy Act of 1997," including "any willing provider" provisions.

BE IT FURTHER RESOLVED, That the committee shall consist of five (5) members of the House of Representatives and five (5) members of the Senate, to be appointed by the respective speakers.

BE IT FURTHER RESOLVED, That all appropriate state agencies shall provide assistance to the special joint committee upon request of the chair.

BE IT FURTHER RESOLVED, That all legislative members of the special joint committee who are duly elected members of the General Assembly shall remain members of such committee until the committee reports its findings and recommendations to the General Assembly.

BE IT FURTHER RESOLVED, That the special joint committee shall be convened by the member with the most years of continuous service in the General Assembly; and at its first meeting shall elect a chair, vice-chair, and such other officers the committee deems necessary.

BE IT FURTHER RESOLVED, That the special joint committee shall timely report its findings and recommendations, including any proposed legislation or interim reports, to the One-Hundredth General Assembly no later than March 1, 1998, at which time the committee shall cease to exist.